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From: Medina, Nicole (DPH)
Sent: Thursday, December 15, 2011 3:49 PM
To: Corbett, Kate (DPH)
Subject: FW: U.S. Department of Labor - Wage and Hour Division (WHD) - Fact Sheet
Attachments: sign in nursing mothers room.JPG

For your records

Nicole E. Medina
Chemist II
Mass. Dept. of Public Health Drug Laboratory
305 South Street, Jamaica Plain, MA 02130
phone: 617-983-6630
fax: 617-983-6625

From: TwixAholic [mailto:twixaholic@comcast.net]
Sent: Thursday, December 15, 2011 3:48 PM
To: Rioux.George@dol.gov
Cc: Medina, Nicole (DPH)
Subject: Fwd: U.S. Department of Labor - Wage and Hour Division (WHD) - Fact Sheet

Forgot the attachment.

From: "TwixAholic" <twixaholic@comcast.net>
To: "George A - WHD Rioux" <Rioux.George@dol.gov>
Cc: "nicole medina" <nicole.medina@state.ma.us>
Sent: Thursday, December 15, 2011 3:46:14 PM
Subject: Re: U.S. Department of Labor - Wage and Hour Division (WHD) - Fact Sheet

Good afternoon Mr. Rioux,

I haven't heard back from you to follow up on this; also, I wanted to forward the attached photo with the new sign put in place in the nursing mothers room which clearly indicates that there is a possible set up for this area to not be available to a nursing mom when needed. This is the only room available and in the event that this room isn't available a nursing mom would either be forced to utilize the electric outlet in the toilet area or her vehicle. This room can accomadate more than one mom and with privacy curtains/screens I think that it should meet the requirement.

Thanks,
Nicole Medina
cell: 617-686-1449

From: "George A - WHD Rioux" <Rioux.George@dol.gov>
To: TwixAholic@comcast.net
Sent: Wednesday, December 7, 2011 9:26:09 AM
Subject: Re: U.S. Department of Labor - Wage and Hour Division (WHD) - Fact Sheet

I'm off site today but will return to Boston tomorrow. We'll discuss your options then. OK?

----- Original Message -----

From: TwixAholic [mailto:TwixAholic@comcast.net]
Sent: Tuesday, December 06, 2011 07:04 PM
To: Rioux, George A - WHD
Subject: RE: U.S. Department of Labor - Wage and Hour Division (WHD) - Fact Sheet

Hello Mr. Rioux,

Thank you so much for getting back to me so quickly in response to my letter. I have looked at this fact sheet and I do believe that my employer has looked at it as well; however, I think the interpretation on both our parts differ. It is told to me that the area currently in use as a nursing mothers room is not a bathroom b/c there is a wall separating the two areas, however, the area is a shower/locker room and in reading Federal Register / Vol. 75, No. 244 There is concern that locker rooms may not be appropriate because such wet environments are at risk of being contaminated with pathogenic bacteria and have been linked to outbreaks of methicillin-resistant *Staphylococcus aureus* (MRSA). As I mentioned this shower I believe is being used for cleaning purposes (filling wash buckets and dumping water) and it is a wet environment on a daily basis without reasonable circulation. Additionally Federal Register / Vol. 75, No. 244 also states that area should be available each and every time a mother needs to use it and with the current set up being single use it isn't free to all mothers each and every time she needs to use it if someone is "dead bolted" our suggestions of a privacy screen/curtain to facilitate more than one mom were turned down b/c it isn't in compliance but it states that is in Federal Register / Vol. 75, No. 244. With these issues not being considered for current and future moms needing to use this room I am not sure how to move forward with this. We have met with union representatives and everyone has tried to bring this to conclusion and have basically been ignored. What is our next step moving forward.

I attached the Federal Register / Vol. 75, No. 244 that we have been using as a guide.

Thanks,
Nicole Medina

-----Original Message-----

From: Rioux, George A - WHD [mailto:Rioux.George@dol.gov]
Sent: Tuesday, December 06, 2011 2:43 PM
To: twixaholic@comcast.net
Cc: Rioux, George A - WHD
Subject: U.S. Department of Labor - Wage and Hour Division (WHD) - Fact Sheet

<http://www.dol.gov/whd/regs/compliance/whdfs73.htm>

Here is fact sheet #73 which should answer your questions. If you have any other questions please feel free to call. Good luck.

Regards,

George A. Rioux
District Director
Wage and Hour Division
Boston, MA 02203